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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 SHEBEUL BEL,

7 Petitioner,

8 v.

9 PAT GLEBE,

10 Respondent.

CASE NO. C10-5775BHS

ORDER DENYING  
PETITIONER'S MOTION

11 This matter comes before the Court on Petitioner Shebeul Bel's ("Bel") motion for  
12 relief from judgment (Dkt. 22). The Court has reviewed the briefs filed in support of and  
13 in opposition to the motion and the remainder of the file and hereby denies the motion for  
14 the reasons stated herein.  
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16 **I. PROCEDURAL HISTORY**

17 On May 24, 2011, the Court dismissed Bel's petition for writ of habeas corpus.  
18 Dkt. 18. On June 2, 2011, Bel filed a notice of appeal. Dkt. 21. On June 8, 2011, the  
19 Court denied Bel a certificate of appealability. Dkt. 20.

20 On December 1, 2011, Bel filed a motion for relief from judgment. Dkt. 22. On  
21 December 7, 2011, the Government responded. Dkt. 23. On December 19, 2011, Bel  
22 replied. Dkt. 24.

23 On December 21, 2011, the Ninth Circuit Court of Appeals denied Bel's request  
24 for a certificate of appealability. Dkt. 25.

25 **II. DISCUSSION**

26 On motion and just terms, the court may relieve a party or its legal representative  
27 from a final judgment, order, or proceeding for certain reasons. Fed. R. Civ. P. 60(b).  
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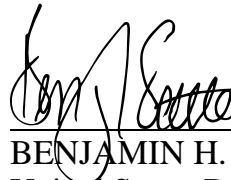
1 Petitioners seeking relief under Rule 60(b)(6) must show “extraordinary circumstances”  
2 justifying the re-opening of a final judgment. *Gonzalez v. Crosby*, 545 U.S. 524, 535  
3 (2005) (citing *Ackerman v. United States*, 340 U.S. 193, 199 (1950)). The Supreme Court  
4 noted in *Crosby* that “[s]uch circumstances will rarely occur in the habeas context.” *Id.*

5 In this case, Bel has failed to meet his burden. Bel argues that “the district judge  
6 did not give careful consideration to the transcript of the proceedings before the  
7 magistrate judge and the objections and to reach an Independent Judgment.” Dkt. 22 at  
8 1. Beyond this conclusory assertion, Bel fails to provide any other error or reason in  
9 support of his motion. Bel’s conclusory allegation does not rise to the level of  
10 extraordinary circumstance or warrant relief from the Court’s judgment.

### 11 **III. ORDER**

12 Therefore, it is hereby **ORDERED** that Bel’s motion for relief from judgment  
13 (Dkt. 22) is **DENIED**.

14 DATED this 3rd day of January, 2012.

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18 BENJAMIN H. SETTLE  
19 United States District Judge  
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